

**Spencer Town Council Regular Meeting
May 7th, 2012 at 7p.m.
Municipal Building
90 N. West Street
Spencer, IN 47460**

Board Members present: Cynthia Hyde, John Stantz and Dean Bruce.

Also present: Clerk-Treasurer Cheryl Moke, Town Attorney Richard Lorenz, Sewage Dept. Supt. Shelley Edwards, Street Dept. Supt., Larry Parrish, George Ridgeway with Cook Group

MEETING WAS OPENED WITH THE PLEDGE TO THE AMERICAN FLAG

IN THE MATTER OF APPROVAL OF MINUTES FOR April 2, 2012 REGULAR MEETING

Dean Bruce made a motion to accept the minutes as corrected, seconded by Jon Stantz and the motion passed 2-0.

IN THE MATTER OF THE POLICE DEPARTMENT

Chief Rich Foutch presented a quote to the Board from ECS for the purchase of new digital mobile and portable radios. The quote included 11 Kenwood Digital Portable radios and 5 Digital mobile radios. He also said that ECS would reband the radios for the sewer and street departments free of charge and renew the licenses. The quote is in the amount of \$15,496. Jon Stantz made a motion to approve the quote from ECS and it was seconded by Cynthia Hyde. The motion passed 3-0.

IN THE MATTER OF PUBLIC ISSUES

Cathy Stivers made a request that she be allowed to open a day care at Church of God Prophecy. The day care license would be in Cathy Stivers name, and not that of the church. Richard Lorenz stated that he wanted to look into this further to make sure that a zoning variance would not be necessary to operate this in a R-1 zone. He told her he would check into it, and get back to her.

George Ridgeway, representing Cook Group in the restoration of the Tivoli project spoke next. He presented the Board with a copy of the proposed changes to the Tivoli. One of his proposals was to add outdoor seating in the alley in the form of a mission style courtyard. He asked the Board to give thought to what can, or cannot be done in the alley. He offered three proposals: (1) Vacate the alley to allow for the outdoor seating; (2) A Right of Usage Agreement which would allow for seasonal seating by placing gates at either end of the alley and give the utilities access as needed; (3) Do nothing, but along with this, allow them to construct bollards and rails in order to protect the building wall from the damage that truck traffic has caused, and will continue to in the future, after repairs to the building are completed. Cynthia Hyde asked if he could put these proposals in writing so that the street department could take measurements for further review by the Board and the town attorney.

Cynthia Hyde said that she had a request from the Owen County Learning Network to use Cooper Park on June 30th. Along with that request, they are asking that the entrances be closed off to the park, as there will be a large number of children participating in their event.

Jon Stantz made a motion that the Street Dept close off the entrances to Coopers Park on June 29th , until 8:30pm on June 30th. The motion was seconded by Dean Bruce and passed 3-0.

IN THE MATTER OF THE STREET DEPARTMENT

Cynthia Hyde made a motion to approve the estimate from John Myers in the amount of \$800 for the removal of a tree at 376 N. East Street. Jon Stantz seconded, and it was approved 3-0.

IN THE MATTER OF THE SEWER DEPARTMENT

There was nothing new to report.

IN THE MATTER OF THE FIRE TERRITORY

There was nothing new to report.

IN THE MATTER OF THE ATTORNEY

Richard Lorenz said that as of July 1, 2012 there would be new state legislation regarding nepotism. He prepared a resolution for review by the board.

Richard Lorenz discussed the property sold to Randy Patterson (formerly known as the White property) and the implications of unpaid back taxes and sewer lien filed by the town of Spencer. He said he would investigate this further, and get back to the Board.

Regarding the request for the 4-way stop at Montgomery and Wayne, Lorenz said he could make an enforceable ordinance at this location, or review all the signs and ordinances in order to enforce a violation bureau. It was decided to go ahead with this location now, and review everything later. **Jon Stantz made a motion to approve a 4-way stop at Montgomery and Wayne Streets. The motion was seconded by Dean Bruce and passed 3-0.**

IN THE MATTER OF OLD BUSINESS

Cheryl Moke reported that the application for the Doughboy Freedom Run Event application was completed and ready for approval along with a map. Richard Lorenz mentioned that EMS requested that anytime there are events like this one, that a map be included, and they are notified. **Jon Stantz made a motion to approve the Doughboy Freedom Run Event for June 9th. It was seconded by Cynthia Hyde, and passed 3-0.**

IN THE MATTER OF NEW BUSINESS

The Clerk-Treasurer presented Claim #3 for the HMGP to the Board for approval. **Dean Bruce made a motion to approve Claim #3 for HMGP in the amount of \$1,031.25. The motion was seconded by Jon Stantz and passed 3-0.**

Cynthia Hyde introduced a gentleman from ABATE requesting to reserve the shelter at Cooper Park. He also was requesting an escort by police. The Board informed him there was no process for reserving the shelter, it was strictly first come, first serve. To request an escort by police, he must first request this in writing to be approved.

Cheryl Moke informed the Board that construction would be done at 33 S. Main Street towards the end of May or the beginning of June (removing brick/siding from the front of the building). They are requesting that the sidewalk in front of the building be blocked off at this time. Cheryl will coordinate with Larry Parrish when a firm date is set.

Cynthia Hyde discussed information she received about the Medical Trust. It was determined that more information was needed.

Jon Stantz gave an update on the Safe Routes to School program. He said it was moving along, but it would not happen until 2013.

IN THE MATTER OF CLAIMS

Jon Stantz made a motion to accept the claims as presented. The motion was seconded by Dean Bruce, and passed 3-0.

IN THE MATTER OF ADJOURNMENT

Jon Stantz motioned to adjourn at 8:22 p.m. seconded by Dean Bruce and the motion passed 3-0.

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Cynthia Hyde, President	Jon Stantz, Vice-President	Dean Bruce, Board Member

Attest: _____
Cheryl Moke, Clerk-Treasurer